

EXHIBIT 4, PART 5



U.S. Department of Justice

*United States Attorney
Southern District of Florida*

99 N.E. 4 Street

Miami, FL 33132
(305) 961-9000

August 3, 2007

Carol Geisler
Jason G. Winchester
77 West Wacker
Chicago, Illinois 60601-1692

Re: U.S. ex rel. Ven-a-Care of the Florida Keys Inc v. Abbott Laboratories, MDL No.
1456/Civil Action No. 01-12257-PBS

Dear Carol and Jason:

I am writing in follow-up to my letter of July 27, 2007 which addressed Abbott's production of e-mails to the United States. Your original letter stated that you would provide us with processed versions of the e-mails last week. In my letter I stated that the original, unprocessed versions would likely be preferable. I asked only that you inform us of the format of the native files and an estimate of their size before making a final decision. Another week has passed and I have had not response. Please tell me where things stand.

I have also not heard anything from you regarding my letter of July 23, 2007 which sought information regarding the transactional data, the CHIP's data, the IMS data and the RxLink data. As I stated in that letter, our need for the foregoing data is critical, especially the transactional data. Please provide the requested information.

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Mark A. Lavine
Assistant U.S. Attorney
(305) 961-9303
(305) 536-4101 Fax
Mark.Lavine@usdoj.gov

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1692
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

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JP003466
080024-024348

August 10, 2007

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VIA FEDERAL EXPRESS

Renee Brooker
U.S. Department of Justice
Civil Division, Commerical Litigation Branch
601 D Street N.W.
Room 9028
Washington, D.C. 20004

Re: U.S. ex rel. Ven-a-Care of the Florida Keys, Inc. v. Abbott Laboratories, Inc.; 06 CV-
11337

Dear Renee:

Pursuant to the Court's July 19, 2007 ruling on the Relator's motion to compel production of all discovery produced by Abbott in other false price reporting litigation, enclosed please find the 31 documents that the court ordered produced. Please let us know if you have any questions.

Sincerely,

Carol P. Geisler
Carol P. Geisler

Enclosure

cc: Jason G. Winchester

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CHI-1602169v1

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August 15, 2007

VIA FEDERAL EXPRESS

Mark A. Lavine
Health Care Fraud Coordinator
U.S. Attorney's Office
99 N.E. 4th Street
Miami, FL 33131

Re: United States of America v. Abbott Laboratories

Dear Mark:

Abbott has produced to the DOJ 62 CDs of CHIPs data in comma delimited text format.
Below are the names of the fields contained in the data.

The claim file (clmmst) contains the following fields:

- Patient Nbr
- Invoice
- Invoice Line
- Status
- Invoice Date
- Service Date
- Original Invoice Nbr
- Original Service Date
- List
- IC
- QTY
- Extended Actual Price
- Extended List Price
- Actual Unit Price
- Sales Tax
- Payor 1
- Bill Date Payor 1
- Bill Amt Payor 1
- Payment Date Payor 1
- Payment Amount Payor 1
- Claim Date Payor 1

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CHI-1602836v1

JONES DAY

Mark A. Lavine
August 15, 2007
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- Procedure Amount 1
- Payor 2
- Bill Date Payor 2
- Bill Amt Payor 2
- Payment Date Payor 2
- Payment Amount Payor 2
- Claim Date Payor 2
- Procedure Amount 2
- Payor 3
- Bill Date Payor 3
- Bill Amt Payor 3
- Payment Date Payor 3
- Payment Amount Payor 3
- Claim Date Payor 3
- Procedure Amount 3
- Claim Nbr
- Procedure Code
- Therapy Code
- Procedure Qty
- Procedure Begin Date
- Procedure End Date
- Credits
- Filler
- Not Used
- Historical Invoice
- Price Flag
- Patient Account Seq
- Reimb Therapy
- Rx Nbr
- Rx Fill Date
- Rx Fill Time
- HCPCS Modifier 1
- HCPCS Modifier 2
- HCPCS Modifier 3
- HCPCS Modifier 4
- Prior Authorization Nbr
- Accept Medicare Assignm

JONES DAY

Mark A. Lavine
August 15, 2007
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The accounts receivable file (armmst) contains the following fields

- Patient Nbr
- System Date
- System Time
- Sequence Nbr
- Transaction Code
- Amount
- Claim Nbr
- Status
- Format
- Deposit Dte
- Check Nbr
- Payor ID
- W O Code
- Invoice Nbr Orig
- Invoice Nbr New
- Bill To Nbr
- Claim Total
- Therapy Type
- Invoice External
- User ID
- Service Dte From
- Service Dte To
- Payor 1
- Payor 2
- Payor 3
- Transaction Close Date
- Patient Account Seq
- Patient Therapy Ses
- List
- IC
- Armmst Allow Amount
- Armmst Bad Debt Amount
- Armmst Rev Share Amount
- Armmst Other Amount

JONES DAY

Mark A. Lavine
August 15, 2007
Page 4

Sincerely,

Carol P. Geisler

Carol P. Geisler

Enclosures

cc: Jason G. Winchester, Esq.

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August 16, 2007

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VIA FEDERAL EXPRESS

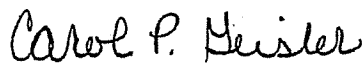
Renee Brooker
U.S. Department of Justice
Civil Division, Commercial Litigation Branch
601 D Street N.W.
Room 9028
Washington, D.C. 20004

Re: U.S. ex rel. Ven-a-Care of the Florida Keys, Inc. v. Abbott Laboratories, Inc.; 06 CV-11337

Dear Renee:

I am enclosing with this letter a CD containing documents marked ABT-DOJ 0298105-0300380 which are the first part of our rolling production of documents from alt site field sales force personnel files. Additionally, based on the Texas court's ruling yesterday, we are voluntarily removing document 34 from Abbott's amended privilege log. That document, marked ABT-DOJ 0300381-0300410, is the portion of the Basic Operating Procedures Manual that was previously produced in redacted format.

Sincerely,



Carol P. Geisler

Enclosure

cc: Jason G. Winchester

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CHI-1603084v1

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Ford, Rebecca (CIV)

From: Jason G. Winchester [jgwinchester@JonesDay.com]
Sent: Monday, August 20, 2007 11:26 AM
To: Ford, Rebecca (CIV)
Cc: Carol Geisler; Jim Breen
Subject: Re: FW: U.S. ex rel Ven-A-Care v. Abbott - Letter relating to our July 6th Meet & Confer

Rebecca -

Thanks for the reminder. We are not ignoring you, and are making substantial progress toward completing our production. I will try to get you an update this week, but I am involved with the upcoming deps of Mershimer and Babington, which makes my schedule pretty tight. J

Jason G. Winchester
Jones Day
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Chicago, Illinois 60601-1692
312.782.3939 (phone)
312.782.8585 (fax)

"Ford, Rebecca
(CIV)"
<Rebecca.Ford@usdoj.gov>

08/20/2007 10:10
AM

"Jason G. Winchester"
<jgwinchester@JonesDay.com>

To

cc

"Carol Geisler"
<cgeisler@JonesDay.com>, "Jim
Breen" <jbreen@breenlaw.com>

Subject

FW: U.S. ex rel Ven-A-Care v.
Abbott - Letter relating to our
July 6th Meet & Confer

Jason,

We are still awaiting several categories of discovery that were the subject of our July 6, 2007 meet and confer, and summarized in my letter to you of July 25, 2007 (attached).

Please provide us an update on the status of Abbott's production of these categories of documents.

Becky Ford
Trial Attorney
U.S. Department of Justice
Commercial Litigation Branch
Civil Division, Fraud Section
601 D Street, N.W.
PHB - Room 9133



U.S. Department of Justice

Civil Division
Commercial Litigation Branch
Fraud Section

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August 31, 2007

Via Electronic Transmission

Mr. Jason G. Winchester
Jones Day
77 West Wacker
Chicago, Illinois 60601-1692

Carol P. Geisler
Jones Day
77 West Wacker
Chicago, Illinois 60601-1692

Re: *U.S. ex rel. Ven-a-Care of the Florida Keys Inc v. Abbott Laboratories*, 06-CV-11337-PBS, *In re Pharmaceutical Industry Average Wholesale Price Litigation*, MDL No. 1456/Civil Action No. 01-12257

Dear Jason and Carol:

You indicated that Abbott creates and maintains marketing plans for the subject drugs, which you have referred to as "August Plan/April Update" documents. We understand from your previous representations that these are the only marketing plans created and maintained by Abbott for the subject drugs.

We have completed a search for these materials and can only locate from Abbott's document production the plans on the attached spreadsheet.

Please provide as soon as possible all of the "August Plan/April Update" documents for time period from January 1991 through 2003.

Sincerely,

/s/

Renée Brooker

Enclosure

cc: James Breen

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Plan Documents

Document Title	Plan Year/ Update Year	Bates Range
1998 April Update Hospital Products Division	1998	ABT-DOJ 0185595-ABT-DOJ 0185861
1999 Plan Hospital Business Sector	1999	ABT-DOJ 0185862-ABT-DOJ 0186220
1999 April Update HPD Commercial Operations	1999	ABT-DOJ 0186221-ABT-DOJ 0186684
2000 April Update Hospital Products Division	2000	ABT-DOJ 0186685-ABT-DOJ 0187091
2003 Plan Hospital Products Division Alternate Site Product Sean O'Donnell Review 8/15/02	2003	ABT-DOJ 0259684-ABT-DOJ 0259753
2003 Plan Hospital Products Division Alternate Site Product Pete Karas Review 8/28/02	2003	ABT-DOJ 0261098-ABT-DOJ 0261179
2002 Update Alternate Site Product Sales Net Sales and Standard Margin	2002	ABT-DOJ 0261192-ABT-DOJ 0261198
2003 Update Alternate Site Product Sales Net Sales and Standard Margin	2003	ABT-DOJ 0264742-ABT-DOJ 0264760
2003 Update Alternate Site Product Sales Net Sales and Standard Margin	2003	ABT-DOJ 0264761-ABT-DOJ 0264781
2003 Update Alternate Site Product Sales Net Sales and Standard Margin	2003	ABT-DOJ 0264782-ABT-DOJ 0264799
2003 Update Alternate Site Product Sales Net Sales and Standard Margin	2003	ABT-DOJ 0264804-ABT-DOJ 0264820
2003 Update Hospital Division Alternate Site Product Sales Rollforward \$000's	2003	ABT-DOJ 0264821-ABT-DOJ 0264862
2003 Update Hospital Division Alternate Site Product Pete Karas Review 3/21/03	2003	ABT-DOJ 0264863-ABT-DOJ 0264927
2003 Update Hospital Division Alternate Site Product Pete Karas Review 3/21/03	2003	ABT-DOJ 0264928-ABT-DOJ 0264997
2003 Update Hospital Division Alternate Site Product Sean O'Donnell Review 3/11/03	2003	ABT-DOJ 0264998-ABT-DOJ 0265061

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Plan Documents

Document Title	Plan Year/ Update Year	Bates Range
Alternate Site Products Sales 2004 Longe Range Plan Begley Draft - Submitted October 28, 2003	2003	ABT-DOJ 0265062-ABT-DOJ 0265065
Drug Delivery Systems 2004 Plan/LRP Net Sales and Standard Margin (\$000)	2003	ABT-DOJ 0265066-ABT-DOJ 0265086
Alternative Site Product Estimated Month of December 2002 Net Sales	2002	ABT-DOJ 0265087-ABT-DOJ 0265088
2004 Plan Hospital Products Division Alternate Site Product Chris Begley Review 09/22/03	2003	ABT-DOJ 0265225-ABT-DOJ 0265274
2004 Plan Alternate Site Products Sales Net Sales and Standard Margin	2003	ABT-DOJ 0265275-ABT-DOJ 0265375
Alternative Site 2004 Plan Review	2003	ABT-DOJ 0265379-ABT-DOJ 0265401
2003 Update Acute Care Injectibles Net Sales and Standard Margin	2003	ABT-DOJ 0266568-ABT-DOJ 0266621

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From: Lavine, Mark (USAFLS) [Mark.Lavine@usdoj.gov]
Sent: Thursday, September 06, 2007 4:47 PM
To: Brooker, Renee (CIV); Brennan, Liza (CIV)

Jason and Carol,

I have checked on the issue of native electronic production. In sum, I think the correct position is that if any responsive materials are available in their native, electronic format then they need to be produced in that fashion. For example, if the e-mails have been assembled in their native format, they should be produced that way. Converting them they to non-searchable tiff files is not sufficient even if they have been "OCR'd." In any event, we have not received any OCR from Abbott with the one exception I mentioned on the telephone today. On a related note, if you have assembled the e-mails by performing searches of key terms, please provide with the search terms. Lastly, although we have only discussed this in connection with the e-mails, our request for native format files extends to all electronic documents. Many of the materials produced to date contain file names and paths indicating where they were created and stored on a computer, but we haven't received any electronic production of such items.

Please let me know if Abbott will produce the e-mails and other documents in their native format and if Abbott will provide us with the search terms used to create the responsive set of e-mails. Of course, we stand ready to discuss and modify the precise parameters and details of such a production if necessary.

Mark

Mark Lavine

U.S. Attorney's Office

Southern District of Florida

(305) 961-9303